

110TH CONGRESS
1ST SESSION

H. R. 4283

To amend title 18, United States Code, to award credit toward the service of a sentence to prisoners who participate in designated educational, vocational, treatment, assigned work, or other developmental programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 5, 2007

Mr. SCOTT of Virginia (for himself, Mr. DAVIS of Illinois, and Mr. CONYERS) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to award credit toward the service of a sentence to prisoners who participate in designated educational, vocational, treatment, assigned work, or other developmental programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Literacy, Education,
5 and Rehabilitation Act”.

1 **SEC. 2. CREDIT FOR PARTICIPATION IN EDUCATIONAL, VO-**
2 **CATIONAL, TREATMENT, ASSIGNED WORK, OR**
3 **OTHER DEVELOPMENTAL PROGRAMS.**

4 (a) IN GENERAL.—Section 3624 of title 18, United
5 States Code, is amended—

6 (1) by redesignating subsections (c), (d), (e),
7 and (f), as subsections (d), (e), (f), and (g); and

8 (2) by inserting after subsection (b) the fol-
9 lowing new subsection:

10 “(c) CREDIT TOWARD SERVICE OF SENTENCE FOR
11 SATISFACTORY PARTICIPATION IN A DESIGNATED PRO-
12 GRAM.—

13 “(1) IN GENERAL.—Subject to paragraphs (2)
14 and (3), a prisoner serving a term of imprisonment
15 of more than 1 year may receive credit toward the
16 service of the prisoner’s sentence, in addition to any
17 credit received under subsection (b), beyond the time
18 already served, of up to 60 days at the end of each
19 year of the prisoner’s term of imprisonment, begin-
20 ning at the end of the first year of such term. Credit
21 that has not been earned may not later be granted.
22 Credit for the last year or portion of a year of the
23 term of imprisonment shall be prorated and credited
24 within the last 6 weeks of the sentence.

25 “(2) SATISFACTORY PARTICIPATION IN DES-
26 IGNATED PROGRAM.—A prisoner shall be awarded

1 credit under paragraph (1) if the Director of the
2 Bureau of Prisons determines that the prisoner has
3 earned, or is making satisfactory progress toward
4 earning, a certificate of completion in a designated
5 program, has satisfactorily participated in a des-
6 ignated program, or has taught or conducted a des-
7 ignated program.

8 “(3) NUMBER OF DAYS OF CREDIT AWARD-
9 ED.—

10 “(A) IN GENERAL.—The Director of the
11 Bureau of Prisons shall determine and establish
12 a policy setting forth the rate of the number of
13 days of credit which a prisoner may be awarded
14 under this subsection with respect to any des-
15 ignated program.

16 “(B) SPECIFIC CONSIDERATIONS.—In de-
17 termining the number of days of credit a pris-
18 oner may be awarded with respect to a des-
19 ignated program, the Director of the Bureau of
20 Prisons shall consider—

21 “(i) the level of difficulty of the pro-
22 gram;

23 “(ii) the time required by the pro-
24 gram;

1 “(iii) the level of responsibility ex-
2 pected of the prisoner with respect to the
3 program;

4 “(iv) the rehabilitative benefits the
5 program provides the prisoner; and

6 “(v) the benefits the program provides
7 the Bureau of Prisons.

8 “(C) AVAILABILITY TO PRISONERS.—The
9 Director of the Bureau of Prisons shall make
10 the policy applicable to credit awarded under
11 this subsection available for each prisoner to re-
12 view prior to that prisoner’s participation in
13 any designated program.

14 “(4) ELIGIBILITY.—Any person sentenced to a
15 term of imprisonment under custody of the Attorney
16 General, whether sentenced or convicted prior to or
17 after November 1, 1987, shall be eligible for the
18 credits described in this subsection.

19 “(5) DESIGNATED PROGRAM.—The term ‘des-
20 ignated program’ means a program which has been
21 designated by the Director of the Bureau of Prisons
22 as a program which benefits either prisoners or the
23 Bureau of Prisons, including—

24 “(A) educational and vocational programs,
25 such as courses and programs through which a

1 prisoner may earn a high school diploma or an
2 equivalent degree or certification through an ac-
3 credited vocational training program, college, or
4 university;

5 “(B) treatment programs, such as inter-
6 ventional rehabilitation programs, including
7 mental health and drug abuse programs; and

8 “(C) assigned work and developmental pro-
9 grams.”.

10 (b) PRISONERS TRANSFERRED FROM FOREIGN
11 COUNTRIES TO THE CUSTODY OF THE ATTORNEY GEN-
12 ERAL.—

13 (1) IN GENERAL.—The second sentence of sec-
14 tion 4105(c)(1) of title 18, United States Code, is
15 amended by inserting “and for participation in des-
16 ignated programs under section 3624(c)” after “sat-
17 isfactory behavior”.

18 (2) CONFORMING AMENDMENTS.—Section
19 4105(c) of title 18, United States Code, is amend-
20 ed—

21 (A) by striking “at the rate provided in
22 section 3624(b)” each place it appears and in-
23 serting “at the rates provided in sections
24 3624(b) and (c)”; and

1 (B) in paragraph (3), by striking “section
 2 3624(b)” and inserting “sections 3624(b) and
 3 (c)”.

4 (c) CONFORMING AMENDMENTS.—

5 (1) TITLE 18.—Section 3603(6) of title 18,
 6 United States Code, is amended by striking
 7 “3624(c)” and inserting “3624(d)”.

8 (2) TITLE 28.—Section 994(a)(2)(F) of title 28,
 9 United States Code, is amended by striking
 10 “3624(c)” and inserting “3624(d)”.

11 **SEC. 3. AMOUNT OF PRISON TERM THAT MUST BE SERVED**
 12 **UNDER CONDITIONS THAT WILL PREPARE**
 13 **PRISONER FOR RELEASE.**

14 The first sentence of section 3624(d) of title 18,
 15 United States Code, as redesignated by section 2(a)(1),
 16 is amended by striking “10 per centum” and inserting
 17 “portion”.

18 **SEC. 4. EFFECTIVE DATE.**

19 This Act and the amendments made by this Act shall
 20 take effect upon the expiration of the 90-day period begin-
 21 ning on the date of the enactment of this Act.

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